IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.531 OF 2002

Sutar Manohar Raghunath ...Petitioner
Vs.
Sutar Manohar Raghunath & Ors. ...Respondents

AND
WRIT PETITION NO.532 OF 2002

Nikumbe Ravindra Ramdas ...Petitioner
Vs.
Education Officer (Secondary) & Ors, ..Respondents

AND
WRIT PETITION NO.534 OF 2002

Ahire Chhayya Damodhar ..Petitioner
Vs.
The Education Officer
(Secondary) & Ors. ..Respondents

AND
WRIT PETITION NO.535 OF 2002

Bawa Mahandra Narayan & Ors. ..Petitioners
Vs.
The Education Officer
(Secondary) & Ors. ..Respondents

AND
WRIT PETITION NO.1898 OF 2000

The State of Maharashtra & Ors. ..Respondents

Kasara Vibhag Education Society & Ors. ..Petitioners
Vs.
The Education Officer
(Secondary) Z.P. Thane & Ors. ..Respondents

AND
WRIT PETITION NO. 4703 OF 1999

Sangle Lahanu Vithoba & Ors. ..Petitioners
Vs.
The State of Maharashtra & Ors. ..Respondents

Mr.V.S. Deokar with Mr.L.N.Bedekar for Petitioners
Mr.R.S.Apte with Mr. N.R. Bubna for Respondent Nos.1 to 3
Mr. C.R. Sonawane, A.G.P. for Respondent Nos.4 & 5

Mr. Uday Warunjikar for Respondent No.5

CORAM: H.L.GOKHALE &
SMT.R.S.DALVI,JJ.
DATED: 12TH JULY, 2005

P.C.

1. The Counsel for the parties involved in all these Petitions have tendered the Minutes which are signed by the parties and their Advocates on record. All these matters are concerning a school run by Kasara Vibhag Education Society. There were two groups in the Management; one lead by one Mr. Jage and Mr. Mahale who are represented by Mr. Warunjikar and another by one Mr.Dhanke and Mr.Shinde who are represented by Mr.Apte . Both these groups and the Teachers concerned are signatories to this Minutes of Order. It is agreed amongst all the parties that the teachers will be adjusted in the employment and absorbed as per Rule 26 of M.R.P.S. (Conditions of Service) Rule 1981 This Rule provides for absorption of surplus teachers. Whether somebody is surplus or not will be decided by the Education Officer on the basis of the initial entry of all the teachers concerned of the continuous officiation from that day.

2. The Management of the School has been handed over to the group represented by Mr. Warunjikar in view of the order dated 6th September, 2004 passed by the Education Officer, Z.P. Thane. This is to be for one year. Prior thereto an Administrator had been

appointed in view of various grievances with respect to the functioning of the School. At the end of this period, the Education Officer is expected to look into affairs of the School and take appropriate decision in accordance with the provisions of Maharashtra Education Institutions (Management) Act, 1976.

3. The Education Officer will see to it that the number of teachers to be retained in the school will be as per the permissible establishment schedule depending upon the total strength of the students and then the exact number will be arrived at, of surplus teachers.

4. We record that Mr. L.B.Mali, Education Officer (Secondary) Z.P., Thane is present in Court who has instructed Mr. Sonawane, A.G.P. appearing for the State.

5. All these Petitions are disposed of in terms of the Minutes of order.

(H.L.GOKHALE,J.)

(SMT.R.S.DALVI,J.)